REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2 and 10 have been canceled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 3-9, 11, and 12 are now pending in this application.

Double Patenting

Claims 1, 8, and 9 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 19 of U.S. Patent No. 6,973,380; over claims 1, 18, and 19 of U.S. Patent No. 6,970,777; and over claims 1, 17, and 18 of U.S. Patent No. 6,732,021. Claim 1 has been amended to include the features of claim 2. Claim 8 has been amended to include similar language. Claim 9 has been amended to include the features of claim 10. Applicants respectfully submit that it would not have been obvious to modify the claimed subject matter of these patents to provide the systems and method recited in claims 1, 8, and 9. Reconsideration and withdrawal of these rejections is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,487,501 to Jeon (hereafter "Jeon") in view of U.S. Patent No. 6,216,079 to Matsuda (hereafter "Matsuda"). This rejection is respectfully traversed.

Jeon discloses a system for preventing lane change deviation that includes a detector 10 with a lane marker detector 14 and a lane marker ECU 16. See col. 4, lines 57-62, of Jeon.

The lane marker detector 14 detects magnetic nails installed in the lane markers of a road so that the lane marker ECU 16 can determine a present transverse position of the vehicle. See col. 4, lines 62-67, of Jeon. However, Jeon does not disclose or suggest a lane detecting device that "corrects the detected steering condition parameter by a steering condition parameter equivalent to the yaw moment generated by the vehicle behavior control device in a prior iteration and detects the running lane based on the corrected steering condition parameter when the vehicle behavior control device controls a behavior of the vehicle," as recited in claim 1. Claims 8 and 9 include similar language.

For instance, Jeon does not disclose or suggest that the lane marker detector 14, the lane marker ECU 16, or any other device detects a running lane of a vehicle based upon a corrected steering parameter. As discussed on page 16, line 9, to page 17, line 4, of the marked-up version of the substitute specification, the running direction of a vehicle varies due to a generated target yaw moment Ms, causing an actual steering angle to vary with respect to the steering angle δ input by a driver. Because of this variation it is easier for a detection device to lose track of the running lane of the vehicle when the detection device uses the steering angle δ as a basis. However, in the present invention a corrected steering angle δ_M represents an actual direction of the vehicle because δ_M takes into account a steering condition parameter equivalent to the yaw moment generated by the vehicle behavior control device. Therefore, a detection device that detects a running lane on the basis of the corrected steering angle δ_M is less likely to lose track of the running lane of the vehicle.

The Office asserts on page 4 of the Office Action that Jeon discloses such a device but Jeon does not disclose or teach such a device. As discussed above, Jeon discloses a lane marker detector 14 and a lane marker ECU 16 but does not disclose or suggest that these devices, or any other device, correct the detected steering condition parameter by a steering condition parameter equivalent to the yaw moment generated by the vehicle behavior control device in a prior iteration and detects the running lane based on the corrected steering condition parameter when the vehicle behavior control device controls a behavior of the vehicle.

Matsuda discloses a vehicle control system that stabilizes the behavior of a vehicle by controlling the braking force and driving force applied to left and right wheels to generate a yaw moment when a motion state of the vehicle deviates from a reference motion state. See Matsuda at col. 1, lines 5-9. Matsuda discloses that the system includes a navigation system NV that functions as a road-shape detecting means. See Matsuda at col. 6, lines 48-52; col. 7, lines 53-67. The navigation system NV can be a known navigation system or a photographing means, or a communication means. See Matsuda at col. 12, lines 33-39. However, Matsuda does not disclose or suggest a device that corrects a detected steering condition parameter by a steering condition parameter equivalent to the yaw moment generated by the vehicle behavior control device in a prior iteration and detects the running lane based on the corrected steering condition parameter when the vehicle behavior control device controls a behavior of the vehicle.

It would not have been obvious to one of ordinary skill in the art to modify the system of Jeon by the teachings of Matsuda to provide the systems or method of claims 1, 8, and 9. A basic requirement of a *prima facie* case of obviousness is that a prior art reference, or prior art references when combined, must teach or suggest all of the claim limitations. See M.P.E.P. §§ 2143, 2143.03. The combination of Jeon and Matsuda does not disclose or suggest all of the features of claims 1, 8, and 9 because these references do not disclose or suggest a device that corrects a detected steering condition parameter by a steering condition parameter equivalent to the yaw moment generated by the vehicle behavior control device in a prior iteration and detects the running lane based on the corrected steering condition parameter when the vehicle behavior control device controls a behavior of the vehicle. Therefore, claims 1, 3-9, 11, and 12 are not unpatentable over the combination of Jeon and Matsuda. Reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Applicants submit that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 8/19/08

By _____

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